

Entered - 10/24/00 - sb
CL00L0641 - DIANNE C. MITCHELL

00- *R*-2033

CLAIM OF: DOUGLAS A. DUKE
118 Stillwood Drive
Atlanta, Georgia 30306

For damages alleged to have been sustained as a result of property
damage due to a fallen tree on July 11, 2000 at 1118 Stillwood Drive.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0641

Date: December 1, 2000

Claimant /Victim DOUGLAS A. DUKE

BY: (Atty)(Ins. Co.)

Address: 118 Stillwood Drive, Atlanta, Georgia 30306

Subrogation: Claim for Property damage \$ 500.00 Bodily Injury \$

Date of Notice: 10/13/00 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 07/11/00 Place: 118 Stillwood Drive

Department PRCA Division: Parks

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges his property was damaged when a tree fell on same. The investigation determined that the City had no notice of any problems with the tree prior to the incident involving the claimant. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other X Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

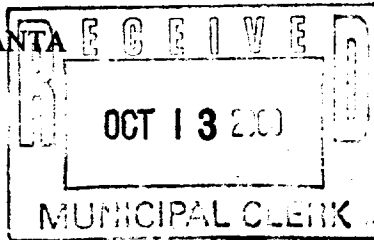
RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: Concur/date 12-01-00

Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
CLERK OF COUNCIL
City Hall
55 Trinity Street, S.W.
Atlanta, Georgia 30335



RE: CLAIM FOR DAMAGES

Today's Date: 12 Oct 00

Dear Clerk of Council:

13-10-00P04:53 RCVD

ENTERED - 10-24-00 - SB
00L0641 - DIANNE MITCHELL

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ \$500.00 property and / or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 7/11/00
(Month / Day / Year)
2. Police called: ☒ Yes ☐ No
3. Location of incident: 1118 Stillwood Dr. Atlanta 30306
4. Name of your insurance company: St. Farm Policy No. 11-CP-4598-9
5. State what and how incident occurred: A portion of a tree on city of Atlanta, fell on my home, causing severe damage.
property
(The \$500 is my insurance deductible.)
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
Your Vehicle: _____
(Make) (Year) (Tag number) (Driver's name)
City Vehicle: _____
(Make) (City driver's name) (Department/Bureau)
8. Witness: _____
(Name) (Address) (Telephone number)
9. The acknowledgment of this claim in no way waives the Governmental immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

00-R-2033

Douglas A. Duke
(Claimant's name)
1118 Stillwood Dr.
(Address)
Atlanta Ga. 30306
(City and State)
4.225-4153 4.888-9663
(Work telephone) (Home telephone)